

CITY COUNCIL  
CITY OF WICHITA  
KANSAS

City Council Meeting  
January 25, 2000, 9:00 A.M.

City Hall  
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation – Mark Brown, Native American
- Pledge of Allegiance
- Approve the minutes of the previous meeting

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AWARDS AND PRESENTATIONS

- Proclamations
- Wichita's Promise Awards

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PUBLIC AGENDA

- 1. Comments by Samuel J. Roberts.

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NEW BUSINESS

- 2. Grants Review Committee Appointments.

The City Council is requested to select one small business and one large business representative and make appointments to the Grants Review Committee.

RECOMMENDED ACTION: Select and appoint representatives to the Grants Review Committee.

3. Hud Section 108 Loan Guarantee Funding Documents – Business Assistance Program.

Section 108 Loan Guarantee funds remove barriers to capital formation by small and minority businesses in the Neighborhood Revitalization Areas.

RECOMMENDED ACTION: Approve the Agreement and authorize the necessary signatures.

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CITY COUNCIL AGENDA

4. Board/Commission Appointments.

RECOMMENDED ACTION: Make the appointments.

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CONSENT AGENDA

5. Report of the Board of Bids and Contracts Dated January 24, 2000.

RECOMMENDED ACTION: Receive and file the report; approve the Contracts and authorize the necessary signatures.

6. Application for License for Adult Entertainment Establishments/Services.

Renewal – Escort Service:      2000

Miracle A. Watson                      Betti Le Boop                                      5860 South Broadway

RECOMMENDED ACTION: Approve the license subject to Staff review and approval.

7. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2000</u>	<u>(Consumption off Premises)</u>
Rodney L. Steven II	Genesis Health Club	6100 East Central, Building #3
Mark A. Boswell	Midway Oil Co. #1	3448 West Douglas
Mark A. Boswell	Midway Oil Co. #3	4001 South Seneca
Mark A. Boswell	Midway Oil Co. #4	10409 West Maple
Mark A. Boswell	Midway Oil Co. #6	1535 East Pawnee
Mark A. Boswell	Midway Oil Co. #8	2199 North Woodlawn

Item #7 Continued

Rick Brazile	Sam's West, Inc. dba Sam's Club #6418	3415 North Rock Road
Chris Salove	Albertsons #2212	8714 West 13 <sup>th</sup> Street
Chris Salove	Albertsons #2213	1607 South Georgetown
Chris Salove	Albertsons #2214	3137 South Seneca
Chris Salove	Albertsons #2250	1910 West 21 <sup>st</sup> North
<u>New Establishment</u>	<u>2000</u>	<u>(Consumption on Premises)</u>
Kimberly A. Gibson	Braeburn Golf Course at WSU*	4201 East 21 <sup>st</sup> Street
Nhung Nyugen	My Canh Restaurant*	3205 East 31 Street South
Vongduane Sengseevong	Vientiane Oriental Restaurant*	3141 South Hillside, Suite #5
<u>New Operator</u>	<u>2000</u>	<u>(Consumption on Premises)</u>
Mary H. San Miguel	Un Ratito Lounge	3537 North Broadway

\*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

8. Plans and Specifications:

- a. 33rd Street North Bridge at West Drain - north of 29th Street North, west of Broadway. (87 N-0121-01/472-83046/448-89346/715679/636079/240087/779159) Bridge to be closed to traffic. City Council approval date: 1/11/2000. (District VI)

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids by 10:00 a.m., March 3, 2000.

- b. Lincoln Street Bridge over Dry Creek - east of Oliver at Lincoln. (87 N 0124-01/472-83043/448-89448/715680/635604/240880/769664) Bridge to be closed to traffic during construction. City Council approval date: 1/11/2000 (District II & III)

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids by 10:00 a.m., March 10, 2000.

9. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

10. Preliminary Estimates:

- a. 1999 sanitary sewer reconstruction program - Phase 8 - at various locations. (468-83054/620276/669401) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: January 26, 1999. (Districts II, III and VI) - \$128,300.00
- b. Paving Mead from Douglas to First Street - Mead, north of Douglas. (472-82855/764522/490555) Access shall be provided through construction. City Council approval date: August 12, 1997. (District VI) - \$950,000.00
- c. Waterline replacement, Mead from Douglas to First Street - Mead, north of Douglas. (448-89217/634915/544146) Access shall be provided through construction. City Council approval date: August 12, 1997. (District VI) - \$65,000.0
- d. Water line in Market from First Street North to Central - west of Broadway, south of Central. (448-89352/636087/779167) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: June 22, 1999. (District VI) - \$352,500.00
- e. Water distribution system to serve Belriv Addition - north of Kellogg, west of 159th Street East. (448-89395/734941/470611) Does not affect existing traffic. City Council approval date: June 8, 1999. (District II) - \$72,000.00
- f. 2000 utility cut repair of streets, driveways, and sidewalks - at various locations. (/132035/) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: August 10, 1999. (District all) - \$1,200,000.00
- g. Lateral 21, Cowskin Interceptor Sewer to serve Auburn Hills Clubhouse and Auburn Hills Commercial Second Additions - west of 135th Street West, south of Maple Street. (468-82982/743794/480482) Does not affect existing traffic. City Council approval date: April 6, 1999. (District V) - \$32,000.00
- h. Water distribution system to serve Wilderness at the Park Addition - south of Pawnee, east of Maize Road. (448-88749/734934/470604) Does not affect existing traffic. City Council approval date: 6/8/99. (District V) - \$29,000.00

RECOMMENDED ACTION: Approve and file.

11. Deeds and Easements:

- a. Utility easement dated December 2, 1999, from Pat's Rentals, Inc., a Kansas corporation, for a tract of land in Lot 1, Block 2, Kessler-Koch Addition, Wichita, Sedgwick County, Kansas. (Private Project, OCA# 607681) No cost to City.
- b. Utility easement dated December 6, 1999, from Bullock Garages, Inc., an Illinois corporation, for a tract of land in Lot 1, Block 2, Kessler-Koch Addition, Wichita, Sedgwick County, Kansas. (Private Project, OCA# 607681) No cost to City.
- c. Sanitary sewer easement dated January 10, 2000, from the Board of Park Commissioners, for a tract of land in the SW 1/4 Sec. 28, Twp. 27S, R-1-E of the 6th P.M., Sedgwick County, Kansas. (Lincoln Park Sanitary Sewer Replacement, OCA# 715572) No cost to City.

Item #11 Continued

RECOMMENDED ACTION: Accept the documents.

12. Statement of Cost.

- a. AMENDED Improving water distribution system to serve Uplatted Tracts and Maize , State Bank Addition - north of 51st Street North, west of Little Arkansas River. Total Cost - \$854,056.00 (plus idle fund interest - \$14,401.03, plus temporary note interest - \$57,077.97). Financing to be issued at this time - \$925,535.00. (734186/448-89215/470-496)

RECOMMENDED ACTION: Approve and file.

13. Petitions for Public Improvements:

- a. Pave Hickory Creek and Harvest Lane in Hickory Creek Addition - south of 13th, west of 119th West. (District V)
- b. Construct sanitary sewer to serve an unplatted tract north of 35th Street North, west of Broadway. (District VI)
- c. Construct sanitary sewer to serve part of Cedarvale Acres Addition - east of Washington, north of 47th Street South. (District III)
- d. Sanitary Sewer to serve Aero Addition - south of I-235 South, east of Meridian. (District IV)

RECOMMENDED ACTION: Approve the Petitions and adopt the Resolutions.

14. Minutes of Advisory Boards/Commissions:

Board of Code Standards and Appeals, 12-6-99  
Board of Health, 12-09-99  
CPO Southwest Council 4, 12-23-99  
Sister Cities Advisory Board, 12-3-99  
Wichita Historic Preservation Board, 11-15-99  
Wichita Public Library, 12-21-99

RECOMMENDED ACTION: Receive and file.

15. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

16. Report on Claims Allowed – December 1999:

<u>Name of Claimant</u>	<u>Amount</u>
Kenneth E. Cole	\$200.00*
Elizabeth A. Chastain	\$524.00*
Margaret Rader	\$103.90
SW Bell	\$5,675.10#
Mary A. Nicholson	\$1,059.00
Pollard-Licklider Clinic	\$8,846.87#
Kent C. Steiner, Jr.	\$147.51
Geico Direct	\$5,786.20#

\*Settled for a lesser amount than claimed.

#Approved by the City Manager.

RECOMMENDED ACTION: Receive and file.

17. Agreements/Contracts:

- a. Amendment - Legal Services.
- b. Amendment – La Petite Academy, Inc.
- c. Seneca and Maple Intersection. (District IV)
- d. Design - Arterials and Bridges Program. (Districts I, III, and V)
- e. Installation of railroad signals. (District IV)
- f. Supplemental - staking and construction engineering services for Ridge Port North Addition - south of 37th, east of Ridge. (District V)
- g. Supplemental - Gypsum Creek bicycle path from Cessna Park to Turnpike Drive. (District III)
- h. Supplemental - K-96 bicycle path, Oliver to east city limits. (Districts I and II)
- i. Supplemental - Kansas Aviation Museum renovation. (District III)
- j. Supplemental - I-235 landscaping from 13th Street North to Broadway. (District VI)
- k. Respread assessments: Regency Park Addition – south of 29<sup>th</sup> Street north and west of Greenwich Road. (District II)
- l. Transit service for Oaklawn Improvement District.
- m. Tree planting – College Hill and Schweiter Parks. (District II)
- n. Amendment - Young Men's Christian Association – Youth Alliance Program.

Item #17 Continued

- o. Design - 26th Street North, Arkansas to Wichita Street. (District VI)
- p. Former Arts & Crafts Center Repairs and Modifications. (District VI)
- q. Construction Engineering - 55th Street South Bridge at Big Slough. (District IV)
- r. Construction Engineering - Lincoln Street Bridge at Dry Creek. (Districts II and III)
- s. Design - Water Distribution System - between 63rd and 57th Streets South, west of Riverside Drainage Ditch. (District III)
- t. North Industrial Corridor - Addendum to Participation Agreement.
- u. Kansas Department of Human Resources - One-Stop Implementation.  
REMOVED FROM AGENDA

RECOMMENDED ACTION: Approve the Agreements/Contracts and authorize the necessary signatures.

18. 2000 Intersection Improvement Program. (Districts I, III, V, and VI)

RECOMMENDED ACTION: Approve the project and first reading of the Ordinance; and authorize the necessary signatures.

19. 2000 Arterial Street Corridor Improvement Program. (Districts I, II, and V)

RECOMMENDED ACTION: Approve the project and first reading of the Ordinance; and authorize the necessary signatures.

20. Swimming Pool Renovations.

RECOMMENDED ACTION: Approve the project and adopt the Resolution; and authorize the necessary signatures.

21. South Lakes Sports Complex. (District IV)

RECOMMENDED ACTION: Approve the project and Agreement; adopt the Resolution; and authorize the necessary signatures.

22. Sanitary Sewer Response Plan - Supplemental Agreement.

RECOMMENDED ACTION: Approve the project expenditures and Notice of Intent; and adopt the Resolution.

23. Installation of Water Mains:

- a. Water Mains in Maple Street from 119th Street West to 135th Street West. (District V)
- b. Water Mains in Pawnee from Webb Road to Greenwich. (District
- c. 66-Inch Raw Water Line from 21st Street and Zoo to the Water Treatment Plant.
- d. Water Mains in 29th Street from Tyler Road to Maize Road, and in Maize Road from 29th Street to South of 29th Street. (District IV)
- e. Water Mains in 37th Street North, between Amidon and Arkansas Over the Little Arkansas River. (District VI)
- f. Water Mains in 119th Street West from Maple to Carr. (District V)
- g. Distribution Mains Replacement Program.

RECOMMENDED ACTION: Approve the project expenditures and Notices of Intent; and adopt the Resolutions.

24. Replacement of Radios for Water and Sewer System Remote Sites.

RECOMMENDED ACTION: Approve the project expenditures and Notice of Intent; and adopt the Resolution.

25. Reconstruction and/or Rehabilitation of Sanitary Sewers.

RECOMMENDED ACTION: Approve the project expenditures and Notice of Intent; and adopt the Resolution.

26. Taxable Industrial Revenue Bonds Authorization of Lease Amendment and Acknowledgment and Consent of Issuer - Southcliff Shopping Center Associates.

RECOMMENDED ACTION: Approve first reading of the Ordinance and authorize the necessary signatures.

27. Budget Adjustment - 1999 Year-end.

RECOMMENDED ACTION: Approve the budget adjustment.



28. Repair or Removal of Dangerous and Unsafe Structures.

	<u>Address</u>	<u>District</u>
a.	3345 East Roseberry	III
b.	3341 East Munger	III

RECOMMENDED ACTION: Adopt the Resolutions setting the Public Hearing on March 7, 2000, at 11:00 a.m.

29. Repeal of Special Liquor Tax Ordinance.

The proposed Ordinance repeals Section 2.12.420 through 2.12.490 of the City Code authorizing and defining the functions of the Alcohol and Drug Abuse Advisory Board.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

30. Publication of Revised Ordinance Regarding the Annexation of Land Generally Located North and South of Kellogg and East and West of 143rd Street East (A99-19), to the City of Wichita, Kansas. (District II)

RECOMMENDED ACTION: Authorize publication of the Ordinance.

31. Second Reading Ordinances: (First read January 11, 2000)

a. Kellogg/Woodlawn Interchange. (District II)

An Ordinance, declaring Kellogg (U.S. 54) from Sylvan Lane to Gouverneur Road to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements on said main trafficway; setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same; repealing Ordinance No. 41-806 of the City of Wichita, Kansas; and repealing Ordinance No. 43-306 of the City of Wichita, Kansas.

b. Industrial revenue bonds - The Quarters at Cambridge. (District II)

An Ordinance authorizing the City of Wichita, Kansas, to issue its taxable Industrial Revenue Bonds for the purpose of providing funds to acquire, construct and equip a residential rental facility located in the City of Wichita, Kansas; prescribing the form and authorizing execution of various documents relating to the issuance and security for the Bonds, the Lease of the residential rental facility to the Quarters at Cambridge, L.P., and the sale of the Bonds.

c. Tax exemption - Contemporary Communications, Inc. (District I)

An Ordinance exempting property from Ad Valorem Taxation for economic development purposes pursuant to Article 11, Section 13, of the Kansas Constitution; providing the terms and conditions for Ad Valorem Tax Exemption, and describing the property of Contemporary Communications, Inc., so exempted.

Item #31 Continued

- d. Amending Electrical Code (Title 19) permit fee increases.

An Ordinance amending Section 19.08.150 of the Code of the City of Wichita, Kansas; and repealing the original thereof; all pertaining to the Electrical Code of the City of Wichita, Kansas.

- e. Official signature of documents.

An Ordinance amending Section 2.04.030 and creating Section 2.04.035 of the Code of the City of Wichita, Kansas, pertaining to the signing of documents and instruments by the Mayor and repealing the original of Section 2.04.030.

- f. Sale of surplus property - southwest corner of Hillside and Lewis.

An Ordinance providing for the acquisition by eminent domain of certain private property, easements, and right-of-way therein, for project in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the City Attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands, easements, and access control, therein taken and providing for payment of the cost thereof.

- g. Northeast Maintenance Substation site modifications, 33rd Street North and Hillside. (District II)

An Ordinance amending Section 3 of Ordinance No. 43-724 of the City of Wichita, Kansas, declaring K-96 Highway, from I-135 to the east City limits, to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficways; and setting forth the nature of said improvements, the estimated cost thereof, and the manner of payment of the same and repealing the original thereof.

- h. 2000 Bridge Improvement Program. (Districts I, II, III, V, and VI)

An Ordinance declaring the 10th Street Bridge at the Wichita Drainage Canal, 33rd Street North Bridge at the west drain of Chisholm Creek, 53rd street North Bridge at the Little Arkansas River, 55th Street South Bridge at the Big Slough, Northwest Bridge at the Wichita-Valley Center Floodway, and Lincoln Street Bridge at Dry Creek (2000 Bridge Construction Program), 472-83166, to be main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated cost thereof, and the manner of payment of the same.

- i. Z-3348 - north of Kellogg Drive, west of Woodchuck 200 feet (8100 West Kellogg). (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas. Z-3348

- j. A 99-36 - south of 45th Street North, west of Webb.

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A 99-36

Item #31 Continued

RECOMMENDED ACTION: Adopt the Ordinances.

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PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

32. V-2211 - Request to Vacate a Portion of a Utility Easement Located Southwest of 13th Street and Maize.  
(District V)

Staff Recommendation: Approve Vacation of portion of utility easement.

MAPC Recommendation: Approve Vacation of portion of utility easement.

RECOMMENDED ACTION: Approve the Vacation order and authorize the necessary signatures.

33. V-2212 - Request to Vacate Street Right-of-way Located East of Maize Road and One-half Mile North of Kellogg. (District V)

Staff Recommendation: Approve Vacation of street right-of-way.

MAPC Recommendation: Approve Vacation of street right-of-way.

RECOMMENDED ACTION: Approve the Vacation order and authorize the necessary signatures.

34. S/D 97-14 - Plat of Regency Park Addition Located on the South Side of 29th Street North, on the West Side of Greenwich. (District II)

Staff Recommendation: Approve the Plat.

MAPC Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents, Plat, and first reading of the SCZ-0734 Ordinance; adopt the Resolutions; and authorize the necessary signatures.

35. S/D 97-27 - Plat of Burbank Addition Located on the Southeast Corner of 21st Street North and 167th Street West. (District V)

Staff Recommendation: Approve the Plat.

MAPC Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; adopt the Resolutions; and authorize the necessary signatures.

36. S/D 99-13 - Plat of Booher Second Addition Located on the West Side of Seneca, South of 55th Street South. (District IV)

Staff Recommendation: Approve the Plat.

MAPC Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the document and Plat; adopt the Resolutions; and authorize the necessary signatures.

37. S/D 99-70 - Plat of Stoneborough Second Addition Located on the West Side of Broadway, North of 55th Street South. (District IV)

Staff Recommendation: Approve the Plat.

MAPC Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the Plat and authorize the necessary signatures.

38. S/D 99-80 - Plat of Rainbow Estates Second Addition Located on the East Side of Seneca, South of 55th Street South. (District II)

Staff Recommendation: Approve the Plat.

MAPC Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the Plat; adopt the Resolution; and authorize the necessary signatures.

39. Street Improvement Agreement for L/S 1023 Located on the East Side of Clara Street, North of Third Street.  
(District IV)

RECOMMENDED ACTION: Approve the Agreement and authorize  
the necessary signatures.

40. D-1780 - Dedication of a utility Easement Located between Orme Street and Kellogg and Water and Wichita Streets. (District I)

MAPC Recommendation: Accept the Dedication.

RECOMMENDED ACTION: Accept the Dedication.

41. A 00-01 - Adoption of a Resolution Establishing a Future Public Hearing on the Annexation of Eligible Properties Generally Located ½ Mile South of Kellogg and East and West of 143rd Street East to the City of Wichita, Kansas. (District II)

The Resolution establishes March 28, 2000, 7:00 p.m., at the East Point Church of Christ, 747 North 127th Street East, as the time and place for the public hearing.

RECOMMENDED ACTION: Adopt the Resolution.

Adjournment

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Workshop: Cable Franchise